

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**In Re:**  
**Alfredo Quintero Cruz**  
**Dacny Segarra Mercado**

**Case No.: 09-04001-MCF**

**Chapter 7**

**Debtor.**

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**TRUSTEE'S REQUEST FOR DISMISSAL UNDER SECTIONS  
521 (a)(3) AND (4)**

TO THE HONORABLE COURT:

COMES NOW, NOREEN WISCOVITCH-RENTAS, CHAPTER 7 Trustee, and respectfully informs the Court that the above Debtor has not provided or complied within the initial 45 days after the Petition or conversion:

☐

Complete Schedules. Section 521(a) (1).

☐

Copies of Payment Advices, if applicable and if not applicable a statement that none exist. Section 521(a)(1).

☒

2010 Tax Returns within 7 days prior to the first date of the 341 Meeting of Creditors. Section 521 (e)(2)(A)(i).

☒

Cooperate with the Trustee as necessary to enable the Trustee to perform her duties under the Bankruptcy Code. Section 521(a)(4). The Debtor and attorney failed to:

☒

Provide documents related to Vehicle ( Toyota Yaris 2007)

☐

Real Estate.

☒

Appear at the initial and two continued 341 Meeting Creditors, and provide the above stated documents. The 341 Meeting dates were September 8, 2011, September 29, 2011 and October 25, 2011.

WHEREFORE, The Trustee requests for the case to be dismissed for Debtor's Counsel and Debtor failure to provide the documents and failure to appear at the Three (3) Meeting of creditors set for September 8, September 29, 2011, and October 25, 2011 respectively, which

would have allowed the Trustee to properly administer the case. See Section 521 (a) (3) and (4).

**NOTICE:** The Court may dismiss the case, if within 14 days, plus 3 days, if served by mail, any party against whom this paper has been served and files an objection or other appropriate response to this paper with the Clerk's Office of the United States Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, this motion will be deemed unopposed and may be granted unless (i) the requested relief is prohibited by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

Respectfully submitted, this October 27 , 2011.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent to Debtor(s)' attorney by CM/ECF system, and to Debtor(s) by first class mail to: Alfredo Quintero Cruz and Dacny Segarra Mercado at: RR 3 BOX 3364, SAN JUAN, PR 00926, on this October 27, 2011.

**/s/Noreen Wiscovitch-Rentas**  
**NOREEN WISCOVITCH-RENTAS**  
CHAPTER 7 TRUSTEE  
PMB 136  
400 Calle Kalaf  
San Juan, PR 00918  
Tel. (787) 946-0132  
Fax (787) 946-0133  
[noreen@nwr-law.com](mailto:noreen@nwr-law.com)



Military Status Report  
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
SEGARRA MERCADO	DACNY	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary M. Snavelly-Dixon



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Mary M. Snavelly-Dixon, Director  
Department of Defense - Manpower Data Center  
1600 Wilson Blvd., Suite 400  
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects **active duty status** including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

***More information on "Active Duty Status"***

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARs, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service

or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

***Coverage Under the SCRA is Broader in Some Cases***

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

**WARNING:** This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID:UEM3A6IC00



Military Status Report  
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
QUINTERO CRUZ	ALFREDO	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

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Mary M. Snavelly-Dixon



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Mary M. Snavelly-Dixon, Director  
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